

**KELLY & RUBIN, LLP.**  
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**MEMO ENDORSED**

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July 30, 2012

Honorable James C. Francis  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Via Fax

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Re: **Waves Audio v. Reckless Music, LLC**  
Case No.: 09-cv-2285 (JCF)

Dear Judge Francis:

As you recall, I am the attorney that represents Jonathan Mover in the above referenced matter. Mr. Mover is an officer of Reckless Music, LLC., and as such has personally assumed responsibility for satisfying a trial judgment of \$30,000.00.

After entering into a payment plan with the consent of counsel for the plaintiff, Mr. Mover has apparently missed one or more payments, that the plaintiff believes totals \$5,000.00. A motion to hold Mr. Mover in contempt for that alleged failure has been filed, served and the defendant's response was ordered served by August 3, 2012.

Mr. Mover has every intention of paying his debt. While he believes that the amount owed may not be \$5,000.00, he has deposited into my firm's escrow account that amount on July 27, 2012. I have advised counsel that I will forward him my firm's escrow draft in the amount of \$5,000, and he has agreed that upon clearance of that draft into his firm's account, he will withdraw the motion.

To be sure that all checks properly clear before credited to each client's account, I am respectfully requesting that the date for the defendant's response to the motion be adjourned until August 17, 2012. I fully expect that by that time, my draft will have cleared into the movant's account and the motion will be mooted.

This is the first request for an adjournment of this motion, and counsel for the movant-plaintiff has agreed to this request. While I expect the motion to be withdrawn, if is not, it is respectfully suggested that all dates in the previous scheduling order for this motion be moved back by two weeks. My adversary is also receiving a copy of this letter request via fax.

7/30/12  
Application granted.  
SO ORDERED.

James C. Francis IV  
VCFM

Respectfully Submitted,  
Kelly & Rubin, LLP.

Michael F. Rubin, Esq. (0697)